

## Office of the Director Office of Administrative Rules and Counsel

1740 W. Adams, Suite 200 Phoenix, Arizona 85007-2670 (602) 542-1264 (602) 364-1150 FAX JANET NAPOLITANO, GOVERNOR SUSAN GERARD, DIRECTOR

November 15, 2007

Dear Interested Person,

In September 2003, the Centers for Medicare and Medicaid Services permitted long-term care facilities to use paid feeding assistants (PFAs) in states with state-approved training programs. 68 Federal Register (FR) 55528, September 26, 2003. PFA use must meet the applicable requirements in 42 Code of Federal Regulations (CFR) 483.35, 483.75, and 483.160, and defined in 42 CFR 488.310.

Arizona Revised Statutes (A.R.S.) § 36-413 became effective in 2004. This statute permits the Arizona Department of Health Services (ADHS) to make administrative rules setting standards for and regulation of nutrition and feeding assistants (NFAs) training programs. NFA has the same meaning as PFA, described and defined in the federal regulations.

Due to staffing issues and workload requirements, the NFAs training programs rulemaking has been delayed. The ADHS is now proceeding with this rulemaking and is establishing a NFAs Training Programs Rules Committee of no more than 20 members. The Rules Committee meetings will begin in approximately February 2008 and will be held monthly for approximately three months.

If you previously submitted the name of an individual interested in serving on the NFAs Training Programs Rules Committee, you can resubmit the name or submit a different name. To submit or resubmit a name for Rules Committee membership, please submit the individual's name, organization, address, telephone number, fax number, and email address by Friday, December 7, 2007 to:

Lynn Golder, Rules Analyst
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The size of the NFAs Training Programs Rules Committee is limited, and its membership must represent the groups within the long-term care community. Therefore, the individual whose name you submit might not be asked to serve on the Rules Committee.

The NFAs training programs rulemaking provides interested persons with opportunities for participation. See the ADHS discussion "Phases of Rulemaking" at http://www.azdhs.gov/diro/admin\_rules/phases.htm. Visit the NFAs training programs rulemaking website at http://www.azdhs.gov/diro/admin\_rules/nfa.htm for information and periodic updates specific to this rulemaking. We look forward to your participation in the rulemaking process.

Sincerely,

Kathleen Phillips, Esq.

Rules Administrator/Administrative Counsel

Sincerely.

Sylvia Balistreri, Program Manager Office of Long-term Care Licensing